

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS

GALVESTON DIVISION

UNITED STATES OF AMERICA	§	
	§	
VS.	§	CRIMINAL NO. G-05-07
	§	CIVIL ACTION NO. G-06-324
KENTE AMIN ANTHONY	§	


**OPINION AND ORDER**

Before the Court is a Report and Recommendation from the United States Magistrate Judge which recommends that the “ Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody” filed by Kente Amin Anthony, the named Defendant in the above-styled and numbered cause, be dismissed in its entirety. Anthony has filed objections to the Report and Recommendation.

Upon *de novo* review, pursuant to 28 U.S.C. §636(b)(1)(C), this Court agrees with the Magistrate Judge and **FINDS** that Anthony voluntarily waived his right to file a Motion under §2255 as part of his Plea Agreement with the Government and further **FINDS**, in the alternative, that Anthony’ s asserted grounds for relief are without merit. The Report and Recommendation is, therefore, **ACCEPTED** by this Court in its entirety and incorporated by reference herein.

Accordingly, it is the **ORDER** of this Court that the “ Motion Under 28 U.S.C. §2255 to Vacate, Set Aside, or Correct Sentence by a Person in Federal Custody” (Instrument no. 43) of Kente Amin Anthony is **DISMISSED in its entirety**.

**DONE** at Galveston, Texas this 23<sup>rd</sup> day of October, 2006.

  
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Samuel B. Kent  
United States District Judge